

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**U.S. COMMODITY FUTURES
TRADING COMMISSION,**

Plaintiff,

V.

**JONATHAN W. ARRINGTON,
ELITE MANAGEMENT HOLDINGS
CORP., MJM ENTERPRISES LLC,
MICHAEL B. KRATVILLE,
MICHAEL J. WELKE, FRED
HONEA, JOHN RIZZLI, RON
BASSETT, FXIG, SONADOR, NEAL
LABELLE, and MICHAEL
STEWART,**

Defendants.

8:11CV181

ORDER

This matter is before the Court on Plaintiff's Motion to Remove this Case From Trial Calendar and Extend Pretrial Deadlines ([filing 115](#)) and Plaintiff's Unopposed Motion to Correct Caption and Docket ([filing 116](#)). These motions will be granted.

Plaintiff argues that given Plaintiff's pending motion for summary judgment on all claims ([filing 97](#)), the Court should extend the fast-approaching pretrial deadlines in this case. Plaintiff asserts that pretrial disclosures and filings will vary significantly depending on the Court's resolution of the summary judgment motion. Plaintiff further maintains that allowing an extension until after the Court's ruling will conserve resources because several of the pretrial deadlines will expire before the motion for summary judgment is even ripe for decision. The Court agrees that postponing trial and extending the deadlines is warranted in this case for purposes of conserving the resources of the parties and the Court.

The Court will likewise grant Plaintiff's Motion to Correct Caption and Docket. In support of this unopposed motion, Plaintiff points out that several individuals who are listed on the case caption and docket have never been served or participated in this case. The Court

agrees that there is no reason that they should remain listed as defendants.

Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion to Remove this Case From Trial Calendar and Extend Pretrial Deadlines ([filing 115](#)) is granted. The Court will reset the trial date and pretrial deadlines, if necessary, following the Court's ruling on the pending summary judgment motion.
2. Plaintiff's Unopposed Motion to Correct Caption and Docket ([filing 116](#)) is granted. The Clerk of Court is directed to remove the following names from the case caption and docket: FXIG, Fred Honea, Ron Basset, Sonador, Michael Stewart, Neil Labelle and John Rizzli.

DATED June 28, 2013.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**